

AMENDED IN SENATE JUNE 28, 2006

AMENDED IN ASSEMBLY APRIL 19, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1970**

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**Introduced by Assembly Member Levine**

February 9, 2006

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An act to add Chapter 10.9 (commencing with Section 25945) to Division 15 of the Public Resources Code, relating to energy resources.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1970, as amended, Levine. Energy resources: California Vampire Slayer Act of 2006.

Existing law establishes various requirements with respect to energy resources and energy conservation.

*This bill would establish the Consumer Electrical Device Labeling Program that would require a consumer electrical device, as defined, sold in California to bear a label indicating electricity use. The bill would specify how the label is to be displayed.*

*The bill would require the label to indicate for each device (1) estimated active and passive electricity use, (2) estimated annual operating cost, and (3) estimated electricity use relative to similar products. The bill would exclude from these requirements a device that meets certain conditions.*

*This bill would require the State Energy Resources Conservation and Development Commission, among other things, to determine the respective labeling obligations of manufacturers, distributors, and retailers.*

~~This bill would require the manufacturer of an appliance sold in California to place, in a manner specified, a power content label on each appliance that shows the energy consumption or energy efficiency of the appliance. The bill would require that the label also show the appliance's estimated annual operational cost both when the appliance is in the "active/standby" mode.~~

~~The bill would prescribe requirements on how the label is to be attached, and also require that same information to be displayed in any order catalog.~~

The bill would require the act to be known as the California Vampire Slayer Act of 2006.

~~The bill would exempt from these requirements appliances that meet certain conditions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) As new technology increases the number of products that  
4 function in various modes, the required energy to power these  
5 products also increases.

6 (b) The typical American home has 20 or more electrical  
7 appliances that continue to use electricity by simply being  
8 plugged in, even when the consumer perceives the appliance to  
9 be in the "off" mode. The appliance is actually in what is called  
10 the "active/standby" mode and requires nearly the same power  
11 consumption as the "active/on" mode.

12 (c) The consumer does not know how much energy these  
13 vampire appliances use, but the combined consumption for many  
14 homes exceeds 400 kilowatthours each year, or that of a new  
15 refrigerator or 10 percent of the energy required to light an entire  
16 home.

17 (d) Much of the electricity generated in California comes from  
18 fossil fuel power plants, and thus, vampire appliances  
19 significantly contribute to the production of greenhouse gases  
20 and other air pollutants.

21 SEC. 2. This act shall be known, and may be cited as, the  
22 California Vampire Slayer Act of 2006.

SEC. 3. Chapter 10.9 (commencing with Section 25945) is added to Division 15 of the Public Resources Code, to read:

~~CHAPTER 10.9. APPLIANCES~~

~~25945. (a) The manufacturer of an appliance sold in California shall place a power content label on the exterior surface of the packaging of the appliance that shows the energy consumption or energy efficiency of the appliance. In addition to the energy consumption or energy efficiency disclosure, the label shall show the appliance's estimated annual operational cost when it is in the "active/standby" mode.~~

~~(b) The manufacturer shall attach the label to the exterior surface of the packaging for the appliance or use a hang tag label that is attached in a way that is easily viewed by a consumer looking at the appliance. The information on the power content label shall also be displayed in any catalog from which the appliance may be ordered.~~

~~25946. An appliance is exempt from the provisions of this chapter if either of the following applies:~~

~~(a) The appliance is subject to the jurisdiction of the Federal Trade Commission and the Department of Energy with respect to appliance labeling rules (42 U.S.C. Secs. 6294 and 6315).~~

~~(b) The appliance has a standby power mode, as defined by IEC Test Procedure 62301, that operates during extended periods of inactivity and consumes no more than five watts when in this mode.~~

*CHAPTER 10.9. CONSUMER ELECTRICAL DEVICE LABELING PROGRAM*

*25945. A consumer electrical device sold in this state shall bear a label indicating electricity use, in accordance with the requirements of this chapter and regulations adopted by the commission.*

*25946. (a) The label shall be displayed on the exterior surface of the device or its packaging so that the label is easily viewed by the consumer at the point of sale. If the point of sale is a catalog or Web site, equivalent information shall be displayed with the device.*

1     **(b) The label shall indicate all of the following:**

2     **(1) Estimated active and passive electricity use of the device.**  
3     *Passive electricity use shall include the amount of electricity*  
4     *used by the device when it is in the “active/standby” mode, or*  
5     *otherwise plugged in but not actively operating. Electricity use*  
6     *shall be expressed in both watts and kilowatt-hours per year.*

7     **(2) Estimated annual operating cost of the device, based on an**  
8     *average cost of electricity in this state.*

9     **(3) Estimated electricity use relative to similar products.**

10    25947. **(a) As used in this chapter, “consumer electrical**  
11    *device” means a plug-in device that consumes electricity in*  
12    *active and passive operation, including, but not limited to,*  
13    *battery chargers and appliances with internal timers, clocks, or*  
14    *other continuously operating electronic components.*

15    **(b) “Consumer electrical device” does not include:**

16    **(1) A device that is subject to the jurisdiction of the Federal**  
17    *Trade Commission and the Department of Energy with respect to*  
18    *federal appliance labeling rules (42 U.S.C. Secs. 6294 and*  
19    *6315).*

20    **(2) A device that has a stand-by power mode, as defined by**  
21    *IEC Test Procedure 62301, that operates during extended*  
22    *periods of inactivity and consumes no more than five watts when*  
23    *in this mode.*

24    **(3) A device where the commission determines that the label,**  
25    *required by this chapter or by regulation, is not likely to assist*  
26    *consumers in making purchasing decisions or is not*  
27    *economically feasible.*

28    25948. **(a) The commission shall use available standardized**  
29    *testing methods and data to determine a device’s electricity use.*

30    **(b) The commission shall determine the most practical and**  
31    *efficient means to enforce this chapter, including determining the*  
32    *respective labeling obligations of manufacturers, distributors,*  
33    *and retailers.*